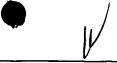


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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/987,376	11/14/2001	William D. Wilber	A8241	6692
759	90 06/04/2003			
SUGHRUE MION, PLLC			EXAMINER	
2100 Pennsylvania Avenue, N.W. Washington, DC 20037-3213			JONES, STEPHEN E	
			ART UNIT	PAPER NUMBER
		•	2817	
			DATE MAILED: 06/04/2003	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-		Application No.	A ant(s)				
		09/987,376	WILBER ET AL.				
	Office Action Summary	Examiner	Art Unit				
		Stephen E. Jones	2817				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply							
THE I - External after - If the - If NO - Failu - Any	ORTENED STATUTORY PERIOD FOR REPLY MAILING DATE OF THIS COMMUNICATION. Insions of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. In period for reply specified above is less than thirty (30) days, a reply period for reply is specified above, the maximum statutory period were to reply within the set or extended period for reply will, by statute, reply received by the Office later than three months after the mailing and patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be tim y within the statutory minimum of thirty (30) days will apply and will expire SIX (6) MONTHS from to cause the application to become ABANDONEL	will be considered timely. the mailing date of this communication. 0 (35 U.S.C. § 133).				
Status							
1)[	Responsive to communication(s) filed on	•					
2a) <u></u> —	,—	is action is non-final.					
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.							
Dispositi	ion of Claims	Ex parte Quayre, 1000 O.B. 11, 4	55 0.0. 215.				
4)⊠ Claim(s) <u>1-62</u> is/are pending in the application.							
4a) Of the above claim(s) is/are withdrawn from consideration.							
5) Claim(s) is/are allowed.							
6)[	6) Claim(s) is/are rejected.						
7)	7) Claim(s) is/are objected to.						
8) Claim(s) 1-62 are subject to restriction and/or election requirement.							
Application Papers							
9) The specification is objected to by the Examiner.							
10) The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.							
If approved, corrected drawings are required in reply to this Office action.							
12) The oath or declaration is objected to by the Examiner.							
Priority under 35 U.S.C. §§ 119 and 120							
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:							
a)(	•	n have been received					
	1. Certified copies of the priority documents		an Na				
<ul> <li>2. Certified copies of the priority documents have been received in Application No.</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage</li> </ul>							
	application from the International Bur see the attached detailed Office action for a list of	reau (PCT Rule 17.2(a)).	•				
14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).							
	)  The translation of the foreign language prov Acknowledgment is made of a claim for domestic						
Attachment(s)							
2) Notice	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449) Paper No(s)		(PTO-413) Paper No(s) atent Application (PTO-152)				

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## Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - Claims 35-62, drawn to a resonator, classified in class 333, subclass 219.1.
  - II. Claims 1-34, drawn to a method of manufacturing a resonator, classified in class 29, subclass 600.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions II and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the method steps of cutting a slot (e.g. in Claim 2) and grinding areas (e.g. in Claim 5) can be performed by a different method such as scraping the material to form a slot or scraping to form an area equivalent to a grounded area, and also the cutting step could be alternatively performed by lasering. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 3. Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group I, restriction for examination purposes as indicated is proper.

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Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen E. Jones whose telephone number is 703-305-0390. The examiner can normally be reached on Monday through Friday from 8 AM to 4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Pascal can be reached on 703-308-4909. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-6251 for regular communications and 703-308-6251 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Stephen Jones
Patent Examiner
Art Unit 2817

SEJ May 22, 2003